

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

NAVAJO EXPRESS, INC.,)	
)	
Plaintiff,)	
)	1:09-CV-55
v.)	<i>Collier / Lee</i>
)	
VOLUNTEER EXPRESS, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The parties have filed a document styled as a “stipulated modification” of the Court’s scheduling order [Doc. 15]. The parties seek to amend the deadlines for disclosing expert testimony, providing final witness lists, completing all discovery, and pretrial disclosures.¹ The parties being in agreement and for good cause shown, the Court **GRANTS** the joint motion [Doc. 15]. The Court’s scheduling order of April 9, 2009 [Doc. 7] is therefore amended as follows:

3. Disclosure and Discovery:

(d) ***Expert Testimony***: Disclosure of any expert testimony in accordance with Fed. R. Civ. P. 26(a)(2) shall be made by the plaintiff on or before **January 1, 2010** and by the defendants on or before **February 5, 2010**. Disclosure of publications of any experts for the preceding ten-year period and disclosure of expert testimony at trial and/or through deposition by an expert is permitted on or before one week prior to the deposition of the expert.

(e) ***Final Witness List***: On or before **March 26, 2010**, the parties shall provide to all

¹ The parties did not file their “stipulated modification” as a proposed agreed order in conjunction with a joint motion, as required by Fed. R. Civ. P. 7(b) and the Court’s Standing Order governing ECF Rules and Procedures. The Court will, however, construe the parties’ document as a joint motion and proposed agreed order.

other parties a final witness list in accordance with Fed. R. Civ. P. 26(a)(3)(A). Within five(5) days after service of this final witness list, the list may be supplemented. After that time the list may be supplemented with leave of the court and for good cause.

(f) ***All Discovery***: All discovery, including the taking of depositions "for evidence" shall be completed by **March 15, 2010**.

(g) ***Pretrial Disclosures***: On or before **March 26, 2010**, the parties shall make the pretrial disclosures specified in Fed. R. Civ. P. 26(a)(3)(B) and (C). (Deposition testimony and exhibit list). All deposition testimony to be offered into evidence must be disclosed to all other parties on or before this date.

All other deadlines in the Court's scheduling order of April 9, 2009 [Doc. 7] remain unchanged.

SO ORDERED.

ENTER:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE